

**REMARKS**

**Anticipation Rejection**

On page 2 of the Office Action, in paragraph 1, claims 1-3 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,292,613 (US '613).

**The Examiner's Position**

The Examiner's position is that US '613 discloses a photosensitive transfer material and a process of making a color filter utilizing the same, the transfer material comprising a temporary support having formed thereon in sequence a thermoplastic resin layer, a separating layer (corresponding to the intermediate layer of the present invention), and a photosensitive resin layer, wherein the adhesion between the thermoplastic resin layer and the separating layer is weakest. Additionally, the Examiner indicates that to prevent the occurrence of static electricity, US '613 discloses that an electrically conductive layer is formed on at least one surface of the temporary support, or electrical conductivity is imparted to the temporary support itself. It is the Examiner's position that US '613 inherently meets the "absolute value of a surface potential limitation" of the present invention because it teaches that the provision of an electrically conductive element prevents the occurrence of static electricity, i.e., the surface potential after separation is essentially zero.

**Applicants' Response**

In response to this rejection, Applicants submit that the present invention is not anticipated by US '613 because US '613 does not inherently disclose the absolute value of surface potential requirement of the present invention.

To demonstrate that US '613 does not inherently disclose the absolute value of surface potential requirement of the present invention, Applicants submit herewith an executed Rule 132 Declaration by one of the present inventors (it is noted that the Declaration does not include a statement under 18 U.S.C. 1001, so a supplemental Declaration will be submitted in this regard after it is received by the undersigned).

In the Declaration, the Declarant sets forth that the closest specific embodiment disclosed in US '613, i.e., sample (a) of Example 11, was tested, and that the absolute value of the surface potential of a separated thermoplastic resin layer of the sample was measured at a separation speed of 1 m/min. under an atmosphere of 25°C and 30% RH (the conditions recited in present claim 1).

As set forth in the Declaration, as a result of this testing the surface potential of the US '613 sample was found to be 7.3 kV, which is outside the scope of the present invention.

Thus, US '613 does not inherently teach the present invention, and the present invention is not anticipated by US '613 as a result.

Moreover, it is submitted that the present invention is not even obvious over US '613, because US '613 does not suggest the absolute value of surface potential requirement of the present invention.

Thus, Applicants submit that the present invention is patentable over US '613, and withdrawal of this rejection is respectfully requested.

**Objection to Claims 4-13**

On page 3 of the Office Action, in paragraph 2, the Examiner has objected to claims 4-13 as being dependent upon a rejected base claim, but has indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for indicating that claims 4-13 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants submit that in view of the above remarks, the other pending claims should be allowable as well, and thus allowance of all the claims is respectfully requested.

**Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

REQUEST FOR RECONSIDERATION  
U.S. Application No.: 10/736,588

Attorney Docket No.: Q78931

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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